

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
APPROPRIATIONS SUBCOMMITTEE
Room 25 House Building
February 13, 2014**

Members Present: Sen. Daniel Thatcher, Co-Chair
Rep. Eric K. Hutchings, Co-Chair
Rep. Keven J. Stratton, House Vice Chair
Sen. Curtis S. Bramble
Sen. Jim Dabakis
Sen. Mark B. Madsen
Sen. Ralph Okerlund
Rep. Rich Cunningham
Rep. Richard Greenwood
Rep. Craig Hall
Rep. Brian S. King
Rep. Merrill F. Nelson
Rep. Curtis Oda
Rep. Jennifer M. Seelig

Members Excused: Sen. Stuart C. Reid
Rep. Gregory H. Hughes

Staff Present: Mr. Gary Syphus, Fiscal Analyst
Mr. Zackery King, Fiscal Analyst
Ms. Jennifer Eyring, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Co-Chair Thatcher called the meeting to order at 2:22 p.m.

2. Intent Language

Mr. Gary Syphus, Fiscal Analyst, reviewed the intent language as found in "EOCJ Proposed Intent Language," pointing out Department of Corrections intent language concerning audit recommendations. The motions page provided to the committee contains items that need committee approval.

1. Approval of Minutes

MOTION: Co-Chair Hutchings moved to approve the minutes for meetings held on January 31, 2014, February 3, 2014, and February 5, 2014. The motion passed unanimously with Sen. Bramble and Rep. Greenwood absent for the vote.

4. Voting/Prioritization

MOTION: Rep. Stratton moved to approve the intent language for the Executive Offices and Criminal Justice Appropriations Subcommittee as listed in the document entitled "EOCJ Proposed Intent Language" dated February 13, 2014, with additional intent language stating that the Legislature intends

that \$750,000 from the Department of Public Safety nonlapsing balances be used for expenses related to the rape kit processing backlog, and to forward the intent language to the Executive Appropriations Committee (EAC) for their consideration. The motion passed unanimously with Sen. Bramble absent for the vote.

MOTION: Co-Chair Hutchings moved to approve the items for the Executive Offices and Criminal Justice Appropriations Subcommittee as listed in the document entitled "EOCJ Non-State Funds and Other Action" dated February 13, 2014 and forward to EAC for their consideration. The motion passed unanimously with Sen. Bramble absent for the vote.

MOTION: Rep. Stratton moved to approve the items in the Executive Offices and Criminal Justice Appropriations Subcommittee as listed in the document entitled "Executive Offices and Criminal Justice - Mandatory Items" dated February 13, 2014 and forward to EAC for their consideration. The motion passed unanimously with Sen. Bramble absent for the vote.

MOTION: Co-Chair Hutchings moved to approve the recommendations for the "off-budget" funds listed in the document entitled "2013 In-Depth Budget Review: Review of Off-Budget Funds and Operations" under the Tuesday January 28th tab and forward to EAC for their consideration. The motion passed unanimously with Sen. Bramble absent for the vote.

MOTION: Rep. Stratton moved to approve the fees for the Executive Offices and Criminal Justice Appropriations Subcommittee as listed in the document entitled "Executive Offices and Criminal Justice: State Agency Fees FY 2015" listed in the meeting materials from the February 5th meeting and forward to EAC for their consideration. The motion passed unanimously with Sen. Bramble absent for the vote.

MOTION: Rep. Stratton moved to approve the items for the Executive Offices and Criminal Justice Appropriations Subcommittee as listed in the document entitled "Executive Offices and Criminal Justice - Reallocations" dated February 13, 2014 and forward to EAC for their consideration.

Mr. Mike Haddon, Deputy Director, Department of Corrections, clarified that funding for Jail Contracting Programming through the Department of Corrections is primarily substance abuse and sex offender treatment.

The motion passed unanimously with Sen. Bramble and Sen. Okerlund absent for the vote.

The following motions refer to the list "Executive Offices and Criminal Justice Appropriations Subcommittee - Items for Consideration Ongoing - Starting Point."

MOTION: Rep. Nelson moved to place GAL - Salary parity increases for Guardian ad Litem attorneys on the line below Corrections - Gunnison pod operation and maintenance.

SUBSTITUTE MOTION: Co-Chair Hutchings moved to place GAL - Salary parity increases for Guardian ad Litem attorneys on the line below Corrections - Gunnison pod operation and maintenance and place Attorney General - Attorney Compensation Parity on the line below RFA (Rep. Seelig) Rape Kit Processing. The motion passed with Sen. Madsen voting against the motion.

MOTION: Rep. Seelig moved to place Governor's Office - Domestic violence and sexual violence support services and RFA (Rep. Seelig/Rep. King) - Legal Aid for Families on the lines below Governor's Office (CCJJ) - Judicial performance evaluation of Justice Courts and to remove RFA (Rep. Seelig) Rape Kit Processing from the list. The motion passed unanimously with Sen. Bramble, Sen. Okerlund and Rep. King absent for the vote.

MOTION: Rep. Cunningham moved to add \$1,000,000 for Department of Public Safety - Utah Highway Patrol trooper pay increase and place it on the line below RFA (Rep. Seelig/Rep. King) - Legal Aid for Families. The motion passed in the House, but failed in the Senate with Sen. Dabakis voting in favor of the motion. The motion failed with Sen. Bramble, Sen. Okerlund, and Rep. King absent for the vote.

MOTION: Co-Chair Hutchings moved to place RFA (Sen. Robles) Parole Violator Center Beds on the line below RFA (Rep. Seelig/Rep. King) - Legal Aid for Families. The motion passed unanimously with Sen. Bramble and Sen. Okerlund absent for the vote.

The following motion is a separate item from the "Executive Offices and Criminal Justice Appropriations Subcommittee - Items for Consideration Ongoing - Starting Point" list.

MOTION: Rep. Oda moved to recommend to the Executive Appropriations Committee that \$2,575,000 from the General Fund Restricted - Disaster Recovery Fund that was approved in the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee on February 13, 2014 not be appropriated. The motion passed with Rep. King voting against the motion and Sen. Bramble and Sen. Okerlund absent for the vote.

MOTION: Rep. Stratton moved to place Corrections - Recidivism reduction initiative on the line below Attorney General - Attorney Compensation Parity. The motion passed unanimously with Sen. Bramble, Sen. Okerlund and Rep. King absent for the vote.

MOTION: Co-Chair Hutchings moved to place Attorney General - Attorney Compensation Parity on the line below RFA (Rep. Seelig/Rep. King) - Legal Aid for Families.

SUBSTITUTE MOTION: Sen. Madsen moved to place Attorney General - Attorney Compensation Parity on the line below Corrections - Gunnison pod operation and maintenance and place GAL - Salary parity increases for Guardian ad Litem attorneys on the line below RFA (Sen. Robles) Parole Violator Center Beds. The motions failed with Sen. Bramble and Sen. Okerlund absent for the vote.

The original motion passed in the House with Rep. Seelig voting against the motion, but failed in the Senate with Sen. Thatcher voting in favor of the motion. The motion failed with Sen. Bramble and Sen. Okerlund absent for the vote.

MOTION: Co-Chair Hutchings moved to approve the "Executive Offices and Criminal Justice Appropriations Subcommittee - Items for Consideration Ongoing - Starting Point" list as amended. The motion passed with Rep. Cunningham voting against the motion and Sen. Bramble and Sen. Okerlund absent for the vote.

MOTION: Co-Chair Hutchings moved to approve the "Executive Offices and Criminal Justice - Items for Consideration One-time" list. The motion passed in the House but failed in the Senate with Sen. Dabakis voting in favor of the motion and Sen. Bramble and Sen. Okerlund absent for the vote.

5. Adjourn

MOTION: Rep. Hall moved to adjourn. The motion passed unanimously with Sen. Bramble and Sen. Okerlund absent for the vote.

Co-Chair Thatcher adjourned the meeting at 4:02 p.m.

Sen. Daniel W. Thatcher, Co-Chair

Rep. Eric K. Hutchings, Co-Chair